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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,460	04/15/2004	Michael J. Chambers	CHAMBERS 4-4	8315
47396	7590	11/29/2005	EXAMINER	
HITT GAINES, PC AGERE SYSTEMS INC. PO BOX 832570 RICHARDSON, TX 75083			MILLER, BRANDON J	
			ART UNIT	PAPER NUMBER
			2683	

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/825,460	<b>Applicant(s)</b> CHAMBERS ET AL.	
	<b>Examiner</b> Brandon J. Miller	<b>Art Unit</b> 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7-9, 14-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Sato.

Regarding claim 1 Sato teaches a mobile communication device, comprising: a main body; and a camera module (see abstract and paragraph [0039]). Sato teaches a camera module, coupled to the main body and configured for movement with respect thereto between a retracted position and an exposed position (see paragraphs [0042] & [0061]). Sato teaches a camera module being rotatable in the exposed position about at least one axis of rotation (see paragraphs [0015] & [0042]).

Regarding claim 2 Sato teaches a camera module that translates to move between the retracted position and the exposed position (see paragraph [0014] & [0065]).

Regarding claim 3 Sato teaches wherein the at least one axis of rotation is essentially perpendicular to a direction of the movement (see paragraph [0015] and FIG. 1).

Regarding claim 4 Sato teaches the camera module is rotatable at least from a front side position to a back side position in the exposed position (see paragraph [0015] and FIG. 1).

Regarding claim 7 Sato teaches a user-releasable retainer for retaining the camera module in the retracted position (see paragraph [0063]).

Regarding claim 8 Sato teaches a spring mechanism that automatically ejects the camera module from the retracted position to the exposed position (see paragraph [0084]).

Regarding claim 9 Sato teaches detecting a position of the camera module relative to the main body (see paragraph [0015] & [0050]).

Regarding claim 14 Sato teaches a main body having attaching means for attaching a camera module (see paragraph [0001]). Sato teaches a camera module having complementary attaching means to the main body, such that the camera module is movable with respect to the main body from a retracted position to an exposed position (see paragraphs [0001] & [0061]).

Sato teaches a camera module that is rotatable in the exposed position about at least one axis of rotation (see paragraphs [0015] & [0042]).

Regarding claim 15 Sato teaches moving the camera module from the retracted position to the exposed position and means for rotating the camera module in the exposed position about at least one axis of rotation (see paragraphs [0014] & [0015]).

Regarding claim 16 Sato teaches a camera module, comprising: attaching means for attaching the camera module to complementary attaching means of a mobile communication device (see paragraphs [0001] & [0061]). Sato teaches a camera, coupled to the attaching means, the camera movable with respect to a main body of the mobile communication device from a retracted position to an exposed position (see paragraphs [0014] & [0061]). Sato teaches a camera module that is rotatable in the exposed position about at least one axis of rotation (see paragraph [0015] & [0042]).

Regarding claim 17 Sato teaches a method of operating a retractable rotatable camera module (see paragraph [0014] & [0015]). Sato teaches deploying the camera module by

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releasing a user-releasable retainer (see paragraph [0063] & [0065]). Sato teaches the camera module to move from a retracted position to an exposed position with respect to a main body of an associated mobile communication device (see paragraph [0061] & [0065]). Sato teaches rotating the camera module about at least one axis of rotation (see paragraph [0015] & [0077]).

Regarding claim 18 Sato teaches a device as recited in claim 9 and is rejected given the same reasoning as above.

Regarding claim 19 Sato teaches detecting a rotational orientation of the camera module of the camera module (see paragraph [0015] & [0050]).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato in view of Sawada.

Regarding claim 5 Sato teaches a device as recited in claim 5 except for wherein the camera module is rotatable about at least two axes of rotation in the exposed position. Sawada teaches a camera module that is rotatable about at least two axes of rotation in an exposed position (see paragraphs [0012] & [0073]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the rotation be about at least two axes of rotation because this would allow for improved adjustment of an imaging direction of the imaging lens portion.

Regarding claim 6 Sawada teaches two axes of rotation that are essentially perpendicular (see paragraphs [0012] & [0073]).

Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato in view of Odagiri.

Regarding claim 10 Sato teaches a device as recited in claim 9 except for a memory with at least one stored program and a microprocessor by which the program can be executed, the program being started automatically when the detection means detects a certain position of the camera module. Odagiri teaches a memory with at least one stored program and a microprocessor by which the program can be executed (see paragraph [0153]). Odagiri teaches automatically starting the camera function when the detection means detects a certain position of the camera module (see paragraph [0165] & [0166]). It would have been obvious to one of ordinary skill in the art at the time the invention would have been made to make the device adapt to include a memory with at least one stored program and a microprocessor by which the program can be executed, the program being started automatically when the detection means detects a certain position of the camera module because this would allow for improved switching between various modes of a mobile communication device.

Regarding claim 20 Sato teaches a device as recited in claim 18 except for automatically configuring a display of the mobile communication device for a particular application. Odagiri does teach automatically configuring an imaging interface of the mobile communication device for a particular application (see paragraph [0165] & [0166]). It would have been obvious to one of ordinary skill in the art at the time the invention would have been made to make the device adapt to include automatically configuring a display of the mobile communication device for a

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particular application because this would allow for improved switching between various modes of a mobile communication device.

Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato in view of Nishimoto.

Regarding claim 11 Sato teaches a device as recited in claim 1 except for a flash coupled to the camera module. Nishimoto teaches a flash coupled to a camera module (see paragraph [0023]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include a flash coupled to the camera module because this would allow for improved picture quality in a portable telephone apparatus with a camera.

Regarding claim 12 Nishimoto teaches a user-activatable self-timer that automatically takes a photograph after a certain delay time an indicator that indicates an elapsing of the delay time (see paragraphs [0013] [0032], & [0033]).

Regarding claim 13 Nishimoto teaches an indicator that is a light-emitting diode (LED) (see paragraph [0043]).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Okuzako et al. U.S. Pub. No.: US 2004/0116167 A1 discloses a portable information processing apparatus.

Lee U.S. Pub. No.: US 2004/0198433 A1 discloses a camera lens assembly and portable wireless terminal comprising the same.

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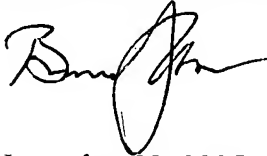
Ohe et al. U.S. Pub. No.: US 2003/0090579 A1 discloses a mobile information terminal device and camera unit.

Arai et al. Patent No.: US 6,904,298 B2 discloses a mobile information communicating terminal device having video camera.

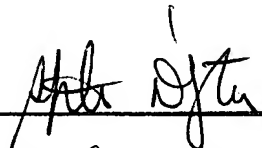
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J. Miller whose telephone number is 571-272-7869. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



November 22, 2005

 11-23-05  
STEPHEN DIGOSTATA  
PRIMARY EXAMINER